

REMARKS

Status of the Application:

Claims 1-5, 9-11, 13-15, 17 and 20-23 are pending in the present application.

Claims 1-5, 9-11, 13-15, 17 and 20-23 are rejected under 35 U.S.C. §112, first paragraph.

Claims 1-5, 9-11, 13-15, 17 and 20-23 are rejected under 35 U.S.C. §112, second paragraph. Claims 1-5, 9-11, 17 and 20-22 are rejected under 35 U.S.C. §102(b). Claims 13-15 and 23 are rejected under 35 U.S.C. 103(a).

Applicants propose to delete claims 1,5, 11 and 23. Amendments are proposed to claims 2, 4, 13, 17 and 20. Most of the proposed amendments change the dependency of the remaining claims so that they do not depend from one or more proposed cancelled claims. The proposed amendment to claim 20 clarifies the claim. Applicants appreciate the Examiner's consideration of the foregoing amendments and following arguments.

Rejection under 35 U.S.C. §112, first paragraph:

The Examiner rejects claims 1-5, 9-11, 13-15, 17 and 20-23 under 35 U.S.C. §112, first paragraph, as containing subject matter which was not adequately described in the specification in order to convey to one skilled in the art that the inventors, at the time the application was filed, had possession of the claimed invention. The rejection of the cancelled claims is moot if the Examiner agrees to cancel these claims. The Examiner rejects claims 20-23 because of lack of descriptive support for "less than about 10%".

Applicants respectfully disagree that the limitation lacks support in the specification. It is well established that the inventor is entitled to claim all or any portion of

what he has invented. It is also well established that the disclosure of a broad range supports and includes the narrower subsumed ranges. Thus, the broader teaching in the specification of the range of "about 3% to about 90%" subsumes and supports the phrase "less than about 10%". (See Applicants' specification, page 8, lines 17-19.)

Rejection under 35 U.S.C. §112, second paragraph:

The Examiner rejects claims 1-5, 9-11, 13-15.17 and 20-23 as being indefinite under 35 U.S.C. §112, second paragraph. Applicants respectfully ask the Examiner to enter the clarifying amendments presented herein and cancel the claims according to Applicants' request. These amendments overcome this rejection and/or render the rejection moot. Accordingly, the issues in the event an appeal are reduced and simplified.

Applicant proposes to delete the word "about" from claim 20. Entry of this amendment will clarify the claim.

Rejection under 35 U.S.C. §102(b):

The Examiner rejects claims 1-5, 9-11, 17 and 20-22 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,447,794 ("Lin"). If the proposed cancellation of claims is entered, this rejection is moot as to the cancelled claims. Applicants respectfully traverse this rejection as to the remaining claims, all of which depend from claim 20 (if the amendments are entered).

Lin does not anticipate Applicant's invention because Lin does not disclose every element of Applicants' invention as claimed in the remaining claims. For example, Lin

does not teach a sheath/core fiber having a sheath occupying less than 10 weight percent of the fiber.

Rejection under 35 U.S.C. 103(a):

The Examiner rejects claims 13-15 and 23 as being unpatentable over Lin as set forth above, in view of the recognized state of the art of carpet fibers as set forth in the previous Office Action. This rejection is moot as to claim 23 if it is cancelled as requested by Applicants. With respect to the remaining claims, Applicants respectfully disagree that they are unpatentable. Since these claims depend from an allowable base claim, they are allowable, too.

CONCLUSION

In conclusion, Applicants submit that, as amended, all remaining claims 2-4, 9-10, 13-15, 17 and 20-22 are allowable and respectfully asks the Examiner to take action indicative of that status.

Respectfully submitted,



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